

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

NETLIST, INC.,)	
)	
Plaintiff,)	
)	Case No. 2:22-cv-293-JRG
vs.)	
)	JURY TRIAL DEMANDED
SAMSUNG ELECTRONICS CO., LTD;)	(Lead Case)
SAMSUNG ELECTRONICS AMERICA,)	
INC.; SAMSUNG SEMICONDUCTOR)	<div style="background-color: black; width: 150px; height: 1.2em;"></div>
INC.,)	
)	
Defendants.)	

NETLIST, INC.,)	
)	
Plaintiff,)	
)	Case No. 2:22-cv-294-JRG
vs.)	
)	JURY TRIAL DEMANDED
MICRON TECHNOLOGY, INC.;)	
MICRON SEMICONDUCTOR)	
PRODUCTS, INC.; MICRON)	
TECHNOLOGY TEXAS LLC,)	
)	
Defendants.)	

**DECLARATION OF JASON G. SHEASBY IN SUPPORT OF NETLIST, INC.'S
OPPOSITION TO SAMSUNG'S *DAUBERT* MOTION AND MOTION TO
STRIKE EXPERT TESTIMONY OF PETER GILLINGHAM**

I, Jason G. Sheasby, declare as follows:

1. I am an attorney at the law firm of Irell & Manella LLP, counsel of record for Plaintiff Netlist, Inc. (“Netlist”) in the above-captioned action. I am a member in good standing of the State Bar of California and have been admitted to practice *pro hac vice* before this Court in this action. I provide this declaration in support of Netlist, Inc.’s Opposition to Samsung’s *Daubert* Motion and Motion to Strike Expert Testimony of Peter Gillingham. I have personal knowledge of the facts stated herein, and could and would testify completely thereto if called as a witness in this matter.

2. Attached as **Exhibit 1** is a true and correct copy of excerpts of Plaintiff Netlist, Inc.’s Revised Fourth Amended and Supplemental Responses and Objections to Samsung Defendants’ Second Set of Interrogatories (Nos. 3-22), dated November 19, 2023.

3. Attached as **Exhibit 2** is a true and correct copy of the Memorandum Opinion and Order Supported by Findings of Fact and Conclusions of Law, docket number 550, in *Netlist, Inc. v. Samsung et al.*, no. 2:21-cv-00463, dated August 11, 2023.

4. Attached as **Exhibit 3** is a true and correct copy of the Rebuttal Expert Report of Peter Gillingham, dated December 21, 2023.

5. Attached as **Exhibit 4** is a true and correct copy of excerpts of the deposition transcript of You Keun Han, Volume I, dated November 9, 2023.

6. Attached as **Exhibit 5** is a true and correct copy of excerpts of the deposition transcript of Sung Joo Park, dated November 15, 2023.

7. Attached as **Exhibit 6** is a true and correct copy of Samsung Defendants’ Objections and Responses to Plaintiff Netlist’s Notice of Deposition Pursuant to Rule 30(b)(6), dated October 30, 2023.

8. Attached as **Exhibit 7** is a true and correct copy of Samsung’s Supplemental Objections and Responses to Plaintiff Netlist, Inc.’s Amended First Set of Interrogatories (Nos. 1-

20), dated November 20, 2023.

9. Attached as **Exhibit 8** is a true and correct copy of the Expert Report of John B. Halbert, dated November 20, 2023.

10. Attached as **Exhibit 9** is a true and correct copy of excerpts of the Rebuttal Expert Report of Lauren R. Kindler, dated December 21, 2023.

11. Attached as **Exhibit 10** is a true and correct copy of excerpts of the deposition transcript of Peter Gillingham, dated January 11, 2024.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on January 30, 2024, in Los Angeles, California.

By /s/ Jason G. Sheasby
Jason G. Sheasby